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April 30, 2007

THOMAS F. MCFARLAND

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By e-filing

Vernon A. Williams, Secretary
Surface Transportation Board
395 E Street, S.W., Suite 1149
Washington, DC 20024

Re: Finance Docket No. 34889, *PYCO Industries, Inc -- Alternative Service -- South Plains Switching, Ltd Co*

Dear Mr. Williams:

The Declaration of Stephen Gregory that is attached to the "Reply of PYCO Industries, Inc. to Second Supplement to Petition to Terminate Alternative Rail Service," filed on April 24, 2007, contains false statements and distortions that require a brief response. In order that there be an accurate record, leave is respectfully sought to file the following limited response to the Gregory Declaration.

RESPONSE

1. **Weed Control** - Mr. Gregory alleges (at the third unnumbered page) that WTLC had to spray weeds when SAW failed to do so. The fact is that weed spraying and other maintenance tasks on the tracks covered by alternative rail service are the responsibility of WTLC as the alternative rail service provider. A specific regulation, 49 C.F.R. § 213.6(c) so provides, viz:

A common carrier by railroad which is directed by the Surface Transportation Board to provide service over the track of another railroad under 49 U.S.C. 11123 is considered the owner of that track for the purposes of the application of this part during the period the directed service order remains in effect

2. **Daily Conference Calls** - WTLC cites SAW's failure to participate in daily conference calls as an example of SAW's failure to communicate. The fact is that WTLC itself discontinued daily conference calls over five months ago. Attached to this response is a copy of a letter from counsel for WTLC to the Board, dated November 15, 2006, advising of discontinuance of such daily conference calls.

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3. WTLC's Failure To Provide Service - SAW's records contradict WTLC's contention that it failed to provide service only once during the period under consideration. Mr. Gregory is located hundreds of miles away from the rail line. SAW's train crews and Mrs. Wisener are located at the site of the rail line. SAW's information is more accurate. WTLC failed to provide service again today, April 30, 2007: there are 10 cars for SAW customers in the BNSF yard today, and there is no WTLC locomotive in the area. SAW's customers complain to SAW about those failures of service, not to WTLC. SAW is relating its customers' complaints to WTLC in this and other recent filings. SAW also notes that only one SAW failure to provide requested service to PYCO is contained in this record, but SAW is threatened with loss of its railroad over that single service failure.

WHEREFORE, the Board should accept this limited response to the Declaration of Stephen Gregory.

Respectfully submitted,

Thomas F. McFarland

Thomas F. McFarland

Attorney for South Plains Switching, Ltd Co

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November 15, 2006

**Hon. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001**

ATTN: Mr. Melvin Clemens

**RE: STB Finance Docket No. 34802, Petition of Pyco
Industries, Inc., for Alternative Rail Service over
the tracks and facilities of South Plains Switching
Ltd.**

**RE: STB Finance Docket No. 34899, Verified Petition
of PYCO Industries, Inc., for Alternative Rail
Service, Temporary Relief for Service Inadequacies, 49
CFR Part 1147;**

**RE: STB Finance Docket No. 34890, PYCO Industries,
Inc., Feeder Line Application - Lines of South Plains
Switching, Ltd. Co.;**

**RE: STB Finance Docket No. 34922, Keokuk Junction
Railway Co., Feeder Line Application - Lines of South
Plains Switching, Ltd. Co.;**

Dear Mr. Williams:

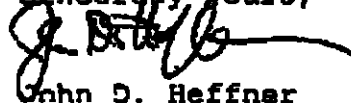
**I am writing on behalf of the West Texas & Lubbock
Railway ("WTLC"), the rail carrier designated by the Board
in the above-captioned proceeding to provide alternative
rail service over the facilities of South Plains Switching
Ltd. ("SAW") to PYCO Industries, Inc., at Lubbock, TX.**

My purpose in writing is to advise you that WTLC has discontinued the daily morning conference call that it initiated back in February 2006 to insure a smooth coordination of operations between WTLC, BNSF Railway, PYCO, and, ideally, SAW. As you will recall, SAW declined to participate in these conference calls.

WTLC is discontinuing this daily call in substantial part because of the significant reduction in PYCO's freight traffic due to the changed demands of the marketplace, as highlighted in recent filings with the Board. Also operations over the trackage that is subject to this proceeding are now reasonably fluid, there is good coordination between WTLC, BNSF, and PYCO, and SAW still refuses to participate. WTLC will reinstate conference calls should a need arise again.

Thank you for your assistance in this matter. I am submitting an original and 10 copies of this letter for the record. Please date stamp and return one copy.

Sincerely yours,



John D. Heffner

cc: Mr. Melvin Clemens (by fax)
Charles Montange, Esq. (fax and mail)
Gary McLaren, Esq. (fax and mail)
Thomas McFarland, Esq. (fax and mail)
William Mullins, Esq. (fax and mail)
William Sippel, Esq.
Adrian Steel, Esq. (fax and mail)
Andrew Goldstein, Esq.
Mr. Edwin Ellis
Mr. Steve Gregory (email)